REMARKS

This Application has been carefully reviewed in light of the Office Action mailed November 29, 2004. In order to advance prosecution of this case, Applicants amend Claims 1-4, 6-8, 14-16, 18, and 20-21. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Examiner rejects Claims 1-5, 14-15, and 18-21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,704,410 issued to McFarlane et al. ("*McFarlane*"). As amended, Claim 1 recites:

A method for skills-based routing of a communication session received at a switch, comprising:

receiving a request to establish a communication session between a client and one of a plurality of service agent stations;

generating a profile of the communication session in response to the request, wherein the profile of the communication session comprises at least two attributes;

comparing the profile of the communication session to a skills table, wherein the skills table includes a plurality of service agent records, each service agent record associating a service agent station with one or more skill entries;

identifying, based on the comparison of the profile and the skills table, a subset of the skill entries included in the skills table;

generating a list of service agent records by applying one or more arithmetic algorithms to the subset of skill entries; and

selecting one of the service agent stations from the list.

McFarlane fails to recite, expressly or inherently, every element of amended Claim 1 for at least several reasons. First, *McFarlane* fails to disclose "identifying, based on the comparison of the profile and the skills table, a subset of the skill entries included in the skills table." In rejecting similar limitations in original Claim 3, states only that:

McFarlane disclosed correlating the profile having attributed [sic] with the skill entry of the service agents (See Figure 3 and Column 10, Lines 10-67) and organizing the mapping and directing the requests by applying "dynamic predictors and artificial intelligence algorithms to process the data to regulate the handling of the call connections." (See Column 8, Lines 45-48).

Office Action, p. 3-4.

To whatever extent this description may be an accurate interpretation of *McFarlane*, the description improperly paraphrases the language of amended Claim 1. Furthermore,

Applicants respectfully note that the Examiner fails to note within *McFarlane* any identification of "a subset of the skill entries." Moreover, *McFarlane* does not disclose any such identification of "the subset of skill entries." Thus, *McFarlane* fails to disclose "identifying, based on the comparison of the profile and the skills table, a subset of the skill entries included in the skills table" as recited by amended Claim 1.

Second, *McFarlane* fails to disclose "generating a list of service agent records by applying one or more arithmetic algorithms to the subset of skill entries." In addressing similar elements of original Claim 3, the Examiner states only that *McFarlane* discloses:

> [O]rganizing the mapping and directing the requests by applying "dynamic predictors and artificial intelligence algorithms to process the data to regulate the handling of the call connections." (See Column 8, Lines 45-48).

Office Action, p. 4.

To whatever extent this description may be an accurate reading of the cited portion of *McFarlane*, *McFarlane* nonetheless does not disclose "generating a list of service agent records." In fact, the cited portion of *McFarlane* discloses only that:

> The efficiency engine 502 is equipped with a set of dynamic predictors and artificial intelligence algorithms to process all of the above-mentioned data to regulate the handling of the call connections.

Col. 8, ll. 45-48.

Thus, the cited portion does not disclose "a list of service agent records" or any form of "generating" such a list. Additionally, as noted above, *McFarlane* fails to disclose any "subset of skill entries." In fact, Applicants respectfully note that the Examiner appears to be improperly relying on the use of the term "algorithm" in both the cited portion and the language of the rejected claim elements, as a basis for rejecting the claim without addressing the plain language of the claim element itself. Nonetheless, *McFarlane* fails to disclose "generating a list of service agent records by applying one or more arithmetic algorithms to the subset of skill entries" as recited by amended Claim 1.

As a result, *McFarlane* fails to disclose, expressly or inherently, every element of amended Claim 1. Claim 1 is thus allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of Claim 1 and its dependents.

Although of differing scope from Claim 1, Claims 14 and 20 include elements that, for reasons substantially similar to those discussed with respect to Claim 1, are not taught by *McFarlane*. Thus, Claims 14 and 20 are allowable for at least these reasons. Applicants

respectfully request reconsideration and allowance of Claims 14 and 20, and their respective dependents.

The Examiner also rejects claims 6-8, 10, 13, and 16 under 35 U.S.C. § 102(e) as being anticipated by European Patent Application No. EP 1 111 890 A2, by Rosanne J. Allen (*"Allen"*). As amended, Claim 6 recites:

> A method for dynamically updating a skills table, the method comprising the following steps performed at a server remotely located from a switch:
> receiving service agent information from a client, the service agent information pertaining to a service agent station associated with the client;
> storing the service agent information on the server;
> updating a skills table utilizing the service agent information, wherein the skills table associates each service agent station to a plurality of skill entries in a service agent record; and
> communicating the skills table to a switch remotely located from a server.

Allen fails to disclose every element of amended Claim 6. For example, *Allen* fails to disclose "receiving service agent information from a client, the service agent information pertaining to a service agent station associated with the client." In rejecting Claim 6, the Examiner states "Allen disclosed receiving a [sic] an agent information *from each switch* in a call center to a call center controller server. (See Column 3, Lines 46-49)." *Office Action*, p. 5, emphasis added. More specifically, *Allen* discloses a call center system in which "*each CCS* [call center server] 102A, 102B sends to NCC [network control center] 104 call center management information (for instance, real-time skillset statistics) at a regular interval." Col. 5, ll. 46-48, emphasis added. Nonetheless, *Allen* fails to disclose "receiving agent information from a client" as recited by amended Claim 6.

As a result, *Allen* fails to teach, either expressly or inherently, every element of Claim 6. Claim 6 is thus allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of Claim 6 and its dependents.

Although of differing scope from Claim 6, Claims 16 and 18 include elements that, for reasons substantially similar to those discussed above with respect to Claim 6, are not taught by *Allen*. Thus, Claims 16 and 18 are allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of Claims 16 and 18, and their respective dependents.

Section 103 Rejections

The Examiner also rejects Claims 6-13, 16, and 17 under 35 U.S.C. § 103(a) as being unpatentable over *McFarlane* in view of *Allen*. As noted above, amended Claim 6 recites:

> A method for dynamically updating a skills table, the method comprising the following steps performed at a server remotely located from a switch:
> receiving service agent information from a client, the service agent information pertaining to a service agent station associated with the client;
> storing the service agent information on the server;
> updating a skills table utilizing the service agent information, wherein the skills table associates each service agent station to a plurality of skill entries in a service agent record; and
> communicating the skills table to a switch remotely located from a server.

Both *McFarlane* and *Allen* fail to disclose, teach, or suggest every element of amended Claim 6. For example, both *McFarlane* and *Allen* fail to disclose "receiving service agent information from a client, the service agent information pertaining to a service agent station associated with the client." As the Examiner notes, "*Allen* disclosed receiving a [sic] an agent information *from each switch*." *Office Action*, p. 4, emphasis added. More specifically, *Allen* discloses a call center system in which "*each CCS* [call center server] 102A, 102B sends to NCC [network control center] 104 call center management information (for instance, real-time skillset statistics) at a regular interval." Col. 5, ll. 46-48, emphasis added. Consequently, *Allen* does note disclose "receiving service agent information from a client, the service agent information pertaining to a service agent station associated with the client" as recited by amended Claim 6.

Furthermore, *McFarlane* also fails to disclose "receiving service agent information from a client." The cited portion of *McFarlane* states only that agent proficiencies "can be measured via supervisor monitoring of the agent, post contact processing accuracy measurements, time required by the agent to execute each task in the contact, and the like. This data can be collected automatically or manually and are processed by the procsee [sic] engine 120 to automatically update the agent skill levels." Col. 12, ll. 24-30. Nonetheless, *McFarlane* also fails to disclose "receiving service agent information from a client" as recited by amended Claim 6.

As a result, the proposed *McFarlane- Allen* combination fails to disclose, teach, or suggest every element of amended Claim 6. Thus, as noted above, Claim 6 is allowable. Applicants respectfully request reconsideration and allowance of Claim 6 and its dependents.

Although of differing scope from Claim 6, Claim 16 includes elements that, for reasons substantially similar to those discussed above with respect to Claim 6, are not disclosed, taught, or suggested by the cited references. Thus, Claim 16 is allowable for at least these reasons. Applicants respectfully request reconsideration and allowance of Claim 16 and its dependents.

Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

No fees are believed to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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